

**UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division**

U.S.A. vs. James Matthew McDougald

Docket No. 7:05-CR-108-1D

Petition for Action on Supervised Release

COMES NOW Thomas E. Sheppard, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of James Matthew McDougald, who, upon an earlier plea of guilty to Possession of a Firearm by a Felon and Aiding and Abetting in violation of 18 U.S.C. §§ 922(g)(1), 924, and 2, was sentenced by the Honorable James C. Dever III, Chief U.S. District Judge on September 11, 2006, to the custody of the Bureau of Prisons for a term of 120 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

James Matthew McDougald was released from custody on April 10, 2015, at which time the term of supervised release commenced. On June 1, 2015, a violation of illegal drug use was reported to the court, and supervision was continued to allow the defendant to participate in treatment.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On June 29, 2015, the defendant submitted a urine specimen that tested positive for cocaine. He had submitted two clean specimens since the previously-reported test, and has submitted two clean specimens since this latest positive test. He continues to participate in both mental health and substance abuse treatment. We recommend a 2-day jail term as a sanction for this violation. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that the conditions of supervised release be modified as follows:

The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days as arranged by the probation office, and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Robert K. Britt

Robert K. Britt

Senior U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Thomas E. Sheppard

Thomas E. Sheppard

U.S. Probation Officer

310 Dick Street

Fayetteville, NC 28301-5730

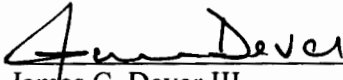
Phone: 910-354-2541

Executed On: July 30, 2015

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ORDER OF THE COURT

Considered and ordered this 3 day of August, 2015 and ordered filed and made a part of the records in the above case.


James C. Dever III
Chief U.S. District Judge